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7  
8 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
9 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

10 In the Matter of the Accusation Against:

Case No. *2013-242*

11 **TERRY STINSON aka TERRI RAMOS**  
12 **STINSON**  
13 **4543 Yerba Ave**  
**Atascadero, CA 93422**

**A C C U S A T I O N**

14 **Registered Nurse License No. 404104**

15 Respondent.

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17  
18  
19 Complainant alleges:

20 **PARTIES**

21 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her  
22 official capacity as the Executive Officer of the Board of Registered Nursing, Department of  
23 Consumer Affairs.

24 2. On or about August 31, 1986, the Board of Registered Nursing issued Registered  
25 Nurse License Number 404104 to Terry Stinson aka Terri Ramos Stinson (Respondent). The  
26 Registered Nurse License was in full force and effect at all times relevant to the charges brought  
27 herein and will expire on February 28, 2014, unless renewed.  
28

## JURISDICTION

3. This Accusation is brought before the Board of Registered Nursing (Board), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

## STATUTORY PROVISIONS

4. Section 2750 of the Business and Professions Code (Code) provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.

5. Section 2761 of the Code states:

"The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

"(a) Unprofessional conduct....

...

6. Section 2762 of the Code states:

"In addition to other acts constituting unprofessional conduct within the meaning of this chapter [the Nursing Practice Act], it is unprofessional conduct for a person licensed under this chapter to do any of the following:

"(a) Obtain or possess in violation of law, or prescribe, or except as directed by a licensed physician and surgeon, dentist, or podiatrist administer to himself or herself, or furnish or administer to another, any controlled substance as defined in Division 10 (commencing with Section 11000) of the Health and Safety Code or any dangerous drug or dangerous device as defined in Section 4022.

...

## COST RECOVERY

7. Section 125.3 of the Code provides, in pertinent part, that the Board may request the administrative law judge to direct a licensee found to have committed a violation or violations of

1 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and  
2 enforcement of the case.

3 Specifically, section 125.3 provides:

4 “(a) Except as otherwise provided by law, in any order issued in resolution of a disciplinary  
5 proceeding before any board within the department or before the Osteopathic Medical Board,  
6 upon request of the entity bringing the proceeding may request the administrative law judge to  
7 direct a licentiate found to have committed a violation or violations of the licensing act to pay a  
8 sum not to exceed the reasonable costs of the investigation and enforcement of the case.”

9 ...

10 “(i) Nothing in this section shall preclude a board from including the recovery of the costs  
11 of investigation and enforcement of a case in any stipulated settlement.”

### 12 **CONTROLLED SUBSTANCES**

13 8. Marijuana (Cannabis) is a hallucinogenic Schedule I controlled substance as defined  
14 in Health and Safety Code section 11054(d)(13) and a dangerous drug according to Business and  
15 Professions Code section 4022.

### 17 **FIRST CAUSE FOR DISCIPLINE**

#### 18 (Unprofessional Conduct)

19 9. Respondent is subject to disciplinary action under section 2761 in that she was issued  
20 an infraction for an offense substantially related to the qualifications, functions, and duties of a  
21 registered nurse. The circumstances are as follows: On or about September 14, 2011, after  
22 pleading nolo contendere, Respondent was convicted of an infraction for violating Health & Safety  
23 Code section 11357 subdivision (b) [possession of less than one (1) ounce of marijuana] in the  
24 criminal proceeding entitled *The People of the State of California vs. Stinson, Terri Ramos* (San  
25 Luis Obispo County Super. Ct., 2011, Dock. No. M000459330). The Court fined Respondent in  
26 the amount of \$100. The circumstances surrounding the conviction are that on or about, February  
27 20, 2011 during a random vehicle inspections at Atascadero State Hospital, a canine alerted  
28 Officer Kevin Seifert of the Atascadero State Hospital Police Department to the rear cargo door

1 of a black Buick registered to Respondent. After Respondent consented to a search of her  
2 vehicle, a clear zip lock baggie was found containing a green leafy substance later determined to  
3 be marijuana. In addition, the officer found in her car an open bottle of whiskey and two  
4 prescribed bottles of Vicodin, one of which was not written for her use. The Respondent was on  
5 duty during the search and was the "Nurse of the Day" at the Atascadero State Hospital.

6 **PRAYER**

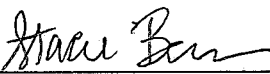
7 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,  
8 and that following the hearing, the Board of Registered Nursing issue a decision:

9 1. Revoking or suspending Registered Nurse License Number 404104, issued to Terry  
10 Stinson aka Terri Ramos Stinson;

11 2. Ordering Terry Stinson aka Terri Ramos Stinson to pay the Board of Registered  
12 Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to  
13 Business and Professions Code section 125.3;

14 3. Taking such other and further action as deemed necessary and proper.  
15

16 DATED: OCTOBER 03, 2012

17 *for*   
18 LOUISE R. BAILEY, M.ED., RN  
19 Executive Officer  
20 Board of Registered Nursing  
21 Department of Consumer Affairs  
22 State of California  
23 Complainant  
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